

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
Asheville Division**

REPORT OF MEDIATOR IN FEDERAL COURT ACTION

KAREN K. JONES,

Plaintiff,

CASE NO.: 1:18cv00367-MR-WCM

v.

**TRUSTEES OF ISOTHERMAL COMMUNITY
COLLEGE, WALTER DALTON, KIMBERLY
GOLD, AND STEPHEN MATHENY,**

Defendants

The undersigned mediator reports the following result of a Mediated Settlement Conference held on February 17th, 2020.

The following individuals, parties, corporate representatives, and or claims professionals attended and were available to participate in the session, and the appropriate individuals possessed the requisite settlement authority:

- X All individual parties and their counsel.
- X Designated corporate representatives.
- X Required claims professionals (by telephone).
- X Other (Describe). Husband of plaintiff.

The following individuals, parties, corporate representatives, and/or claims professionals failed to appear and/or failed to participate as ordered: None.

The outcome of the Mediation Session was:

- X **Agreement on all issues.** The parties and counsel have signed a Memorandum of Settlement, which is in the possession of the undersigned mediator. A Stipulation of Dismissal with Prejudice will be executed by counsel and filed with the Court. **PLEASE NOTE:** By law, the settlement must be presented to and approved by the defendant Board of Trustees at its next available meeting, which will not take place until late March. The parties anticipate that the settlement will be approved, but they will require some period of time after the Trustees' meeting to

consummate the terms of the settlement and file the stipulation of dismissal.

- ☐ **Agreement on some issues.** The parties and counsel have signed a Memorandum of Settlement as to those issues that were resolved, which is in the possession of the undersigned mediator. The mediator has asked counsel to file a joint stipulation regarding such claims within ten (10) days of the filing of this report and to include therein a brief summary of the issues that remain for the Court to resolve.
- ☐ **Impasse.**

Name and address of counsel responsible for filing any Stipulation of Dismissal with the Court: Michael P. Thomas, Patrick, Harper & Dixon, L.L.P., P.O. Box 218, Hickory, NC 28603.

All parties have paid their portion of the mediator's fee except as follows:

<u>Party Owing Fee</u>	<u>Amount Owed</u>
<u>Defendant (paying entire fee)</u>	<u>\$3,265.00</u>

I have filed this Report with the Court within ten days after conclusion of the mediated settlement conference and have served a copy of the Report upon all parties.

Date: February 19, 2020

/s/ Frank Goldsmith

FRANK GOLDSMITH, Mediator
GOLDSMITH RESOLUTIONS
P.O. Box 102
Fairview, NC 28730
Tel. (828) 230-6977
E-mail: frank@goldsmithresolutions.com

CERTIFICATE OF SERVICE

I hereby certify that I have this date served counsel of record for all parties with the attached Report of Mediator by causing a copy thereof to be sent via e-mail through the Court's ECF system.

This the 19th day of February, 2020.

s/Frank Goldsmith

FRANK GOLDSMITH

Mediator